

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No.	1:21-CR-00117 (MAD)
)		
v.	)	Information	
)		
SHANE SMITH,	)	Violations:	18 U.S.C. §§ 922(g)(1) &
	)		924(a)(2) [Felon in Possession
	)		of Ammunition]; 26 U.S.C. §§
	)		5841, 5861(d) & 5871
	)		[Unlawful Possession of Short
	)		Barrel Rifles]
)		
	)	2 Counts and Forfeiture Allegations	
)		
Defendant.	)	County of	Washington
	)	Offenses:	

THE UNITED STATES ATTORNEY CHARGES:

COUNT 1

[Possession of Ammunition by a Prohibited Person]

On or about December 15, 2020, in Washington County in the Northern District of New York, the defendant, **SHANE SMITH**, knowingly possessed in and affecting interstate commerce, ammunition, that is, (1) multiple rounds of Lake City 5.56 x 45mm caliber ammunition, (2) multiple rounds of Federal Cartridge 9mm Luger caliber ammunition, (3) multiple rounds of SIG 9mm Luger caliber ammunition, (4) multiple rounds of Speer 9mm Luger caliber ammunition, (5) multiple rounds of Remington 9mm Luger caliber ammunition, (6) multiple rounds of PMC 9mm Luger caliber ammunition, and (7) multiple rounds of CBC 7.62 x 51mm caliber ammunition, after having been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, as the defendant well knew when he possessed the ammunition, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2
[Unlawful Possession of Short Barrel Rifles]

On or about December 15, 2020, in Washington County in the Northern District of New York, the defendant, **SHANE SMITH**, knowingly possessed two firearms, that is, rifles having barrels of less than 16 inches in length, specifically, (1) an AR-15 style rifle, black in color, with no serial number and a barrel 14 9/16 inches long, and (2) an AR-15 style rifle, primarily tan in color, with no serial number and a barrel 10 5/8 inches long, neither of which were registered to the defendant in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

FIRST FORFEITURE ALLEGATION

1. The allegations contained in Count One are hereby re-alleged and incorporated by reference for the purposes of alleging forfeiture, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearm and ammunition involved in and used in the commission of the offense, including, but not limited to:

- a) multiple rounds of Lake City 5.56 x 45mm caliber ammunition;
- b) multiple rounds of Federal Cartridge 9mm Luger caliber ammunition;
- c) multiple rounds of SIG 9mm Luger caliber ammunition;
- d) multiple rounds of Speer 9mm Luger caliber ammunition;
- e) multiple rounds of Remington 9mm Luger caliber ammunition;
- f) multiple rounds of PMC 9mm Luger caliber ammunition; and
- g) multiple rounds of CBC 7.62 x 51mm caliber ammunition.

SECOND FORFEITURE ALLEGATION

2. The allegations contained in Count Two are hereby re-alleged and incorporated by reference for the purposes of alleging forfeiture pursuant to Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c), any firearm involved in the commission of the offense, including, but not limited to:

- a) an AR-15 style rifle, black in color, with no serial number and a barrel 14 9/16 inches long; and
- b) an AR-15 style rifle, primarily tan in color, with no serial number and a barrel 10 5/8 inches long.

Dated: April 26, 2021

ANTOINETTE T. BACON
Acting United States Attorney

By:


Richard Belliss
Assistant United States Attorney
Bar Roll No. 515295